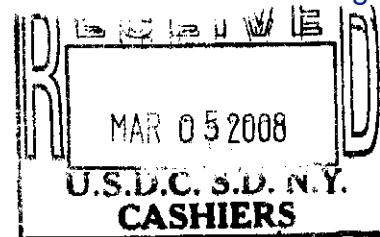


JUDGE JOSEPH G. KAPAN

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

BREWSTER WALLPAPER CORPORATION,

Plaintiff,

-against-

VERIFIED COMPLAINT

M.V. "MSC GREECE", her engines, boilers, etc.,

08 CIV

-and against-

UPS OCEAN FREIGHT SERVICES, INC. and
MEDITERRANEAN SHIPPING CO., INC.,

Defendants.

08 CV 2180

X

1. This is a case of contract, cargo damage and non-delivery of cargo, civil and maritime and is an admiralty and maritime claim within the meaning of the Rule 9(h). Plaintiff invokes the maritime procedures specified in Rule 9(h).
2. Plaintiff, BREWSTER WALLPAPER CORPORATION, is a legal entity organized under the law, with an office located at 67 Pacella Park Drive, Randolph, Massachusetts 02368. Defendant, UPS OCEAN FREIGHT SERVICES, INC., is a legal entity organized under the law, with an office located at 600 Third Avenue, 21st Floor, New York, New York 10016. Defendant, MEDITERRANEAN SHIPPING CO., INC., is a legal entity organized under the law, with an office located at 420 Fifth Avenue, New York, New York 10018.
3. During all times herein mentioned, defendants were the owners and/or operators of the M.V. "MSC GREECE" and operated it in the common carriage of goods by water for hire between La Spezia and Boston.

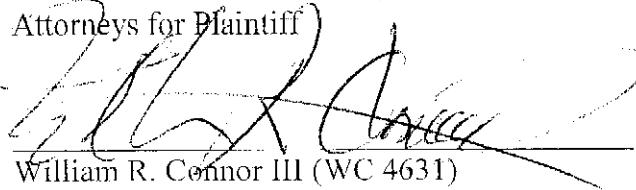
4. The M.V. "MSC GREECE", is now or during the pendency of this action will be, within this District.
5. On or about August 10, 2007, Zambaiti Parati Spa delivered a shipment of 1,426 boxes of wallpaper to defendants, as common carriers at the port of La Spezia in good condition, for transportation on board the M.V. "MSC GREECE" to Boston, in consideration of an agreed freight and pursuant to the valid terms and conditions of a clean on-board bill of lading issued by defendants and the M.V. "MSC GREECE".
6. Defendants caused said goods, still in good order and condition to be laden on board the M.V. "MSC GREECE". On or about August 20, 2007, the M.V. "MSC GREECE" arrived at the port of Boston and thereafter defendant delivered said shipment in a short, slack and damaged condition.
7. Prior to August 20, 2007, plaintiff became for value the owner of said shipment and the owner and holder of said clean on-board bill of lading and brings this suit on its own behalf and that of all others interested in said shipment.
8. All conditions precedent required of plaintiff and of all others interested in said shipment have been performed.
9. By reason of the premises, plaintiff and those on whose behalf this suit is brought have sustained damages in the sum of \$30,000, as nearly as the same can now be estimated, no part of which has been paid although duly demanded.

WHEREFORE, plaintiff prays:

1. That the M.V. "MSC GREECE" be arrested;
2. That process issue against defendants and that defendants be cited to appear and answer the allegations of the complaint;

3. That an interlocutory judgment be entered in favor of the plaintiff against the M.V. "MSC GREECE", against defendants directing that the plaintiff recover damages and that the M.V. "MSC GREECE", be condemned and sold and the proceeds of sale be applied to the payment to plaintiff of the sums found due it;
4. That the amount due plaintiff be computed by further proceedings before a Magistrate, pursuant to Rule 53(b) and/or by further proceedings before the Court, pursuant to Rule 42(b);
5. That final judgment against defendants and the M.V. "MSC GREECE", be entered in favor of the plaintiff for the amount found due plaintiff with interest and with costs; and
6. That plaintiff have such other and further relief as may be just.

Dated: New York, New York
February 28, 2008

McDERMOTT & RADZIK, LLP
Attorneys for Plaintiff

By: _____
William R. Connor III (WC 4631)
Wall Street Plaza
88 Pine Street
New York, New York 10005
212-376-6400

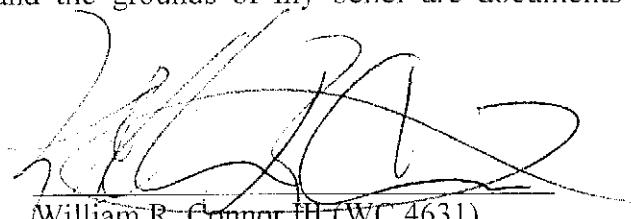
STATE OF NEW YORK)
: S.S.
COUNTY OF NEW YORK)

WILLIAM R. CONNOR III, being duly sworn, deposes and says:

I am a member of the firm of McDermott & Radzik, LLP. attorneys for the Plaintiff in this action.

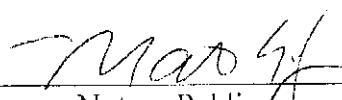
I have read the foregoing Verified Complaint, know the contents thereof, and the same is true to the best of my knowledge, information and belief.

The sources of my information and the grounds of my belief are documents in the possession of my firm.



William R. Connor III (WC 4631)

Sworn to before me this
3rd day of March 2008



Notary Public
MATTHEW T. LOESBERG
Notary Public, State of New York
No. 02L06051626
Qualified in New York County
Commission Expires 12-4-2009